

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
DELTA DIVISION**

**ISMAEL MORALES**

**PLAINTIFF**

**v.**

**No. 2:10CV223-P-S**

**BOBBY PHILLIPS, ET AL., ET AL.**

**DEFENDANTS**

**ORDER ADOPTING  
REPORT AND RECOMMENDATION**

Upon consideration of the file and records in this action, the court finds that the Report and Recommendation of the United States Magistrate Judge dated July 13, 2011, was on that date duly served by mail upon the *pro se* plaintiff at his last known address; that more than fourteen days have elapsed since service of the Report and Recommendation; and that no objection to the Report and Recommendation has been filed or served by any party. The court is of the opinion that the magistrate judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is, therefore **ORDERED**:

1. That the Report and Recommendation of the United States Magistrate Judge dated July 13, 2011, is hereby **APPROVED AND ADOPTED** as the opinion of the court.

2. That all of the plaintiff's claims against defendant Charles Tache are **DISMISSED**.

3. That the plaintiff's claims against the remaining defendants will proceed.

THIS, the 15<sup>th</sup> day of September, 2011.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE